

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUSSELL PIKE,

Defendant.

2:09-CR-147 JCM (GWF)

**ORDER**

Presently before the court is defendant Russell Pike's motion for reconsideration of his motion to continue self surrender date. (Doc. # 217). Defendant filed a supplement. (Doc. # 218). The government filed a response (doc. # 219), and defendant replied (doc. # 220).

Defendant requests the court to reconsider its previous order denying defendant's motion to continue his self surrender date. (Doc. # 217, 1:20-21). Defendant states that the court failed to address the most significant issue raised in his motion, the difficulties associated with surrendering directly to the U.S. Marshal's office. (Doc. # 217: 1:24-27). Defendant then filed a supplement for the motion to reconsider representing that defendant had been designated to the bureau of prisons camp facility in Mendota, California. (Doc. # 218, 1:23-24).

Defendant requests the court to consider the delay in notification of a designated facility, as defendant now has a relatively short amount of time to prepare his seven children and the rest of his family for his departure to Mendota. (Doc. # 217, 1:27-2:1).

1 The government opposes the motion. (Doc. # 219). The government states because  
2 defendant's motion for reconsideration was based on defendant not having been designated a bureau  
3 of prisons facility and since defendant now has been designated to a facility, there is nothing for the  
4 court to reconsider. (Doc. # 219, 2:1-3). The government states that this is another attempt for a  
5 delay. (Doc. # 219, 2:2).

6 Defendant responds, conceding that he is attempting to delay his self surrender date.  
7 Defendant, however, argues that it is not for the mere purpose of delay but to be able to spend time  
8 with his family for the holidays and properly prepare for his 52-months of incarceration. (Doc. # 220,  
9 1:23-25).

10 The court finds that the instant motion does not contain any information not previously  
11 considered by the court. Thus, the circumstances presented here do not warrant reconsideration.

12 Accordingly,

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED defendant Russell Pike's  
14 motion for reconsideration of motion to continue self surrender date, (doc. # 217) be, and the same  
15 hereby is, DENIED.

16 DATED November 19, 2012.

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19 **UNITED STATES DISTRICT JUDGE**